

25X1A

CONDENSATION OF REGULATION [REDACTED]

SEPARATION OF SURPLUS PERSONNEL

1. GENERAL

In the event it becomes necessary or advisable to reduce the number of employees in the Organization, or in any component part of it, or among any defined category of personnel, this regulation shall apply to the exclusion of all other regulations pertaining to the involuntary separation of personnel. However, whether the separation of surplus personnel is contemplated or in process, there is no suspension of the Organization's responsibility and authority to remove, demote, or reassign any employee whose conduct or performance warrants such action. This regulation does not apply to such cases.

2. AUTHORITY

The Chief, KUBARK has determined that the separation of surplus personnel under this regulation will be carried out under his special authority to terminate the employment of any officer or employee of the Organization whenever he shall deem such termination necessary or advisable in the interests of our country. Therefore, the standards governing such separations shall be those set forth below exclusively, and no employee shall be entitled to consideration under standards set forth in any other law or regulation.

3. POLICY

- a. When a Deputy Director, in collaboration with the Director of Personnel, shall conclude that the personnel of a Career Service or an organizational component under his jurisdiction are in excess of requirements either with respect to total numbers or to occupational qualifications or other characteristics, he shall recommend to the Chief, KUBARK the separation of an approximate number of employees, stating the categories to be affected.
- b. Upon a determination by the Chief, KUBARK that the proposed separations are necessary or advisable, the selection of specific individuals to be separated shall be accomplished on the basis of thoughtful consideration of the past performance, qualifications, accomplishments, and contribution to the mission of the Organization and the assessment of current performance and potential for future usefulness of all individuals in each category affected. Based on such consideration, the relative retention standing of persons in each category under consideration shall be established in accordance with the procedures set forth in paragraph 4 below. The relative retention standing of an individual shall not be affected by the circumstances or location of his assignment.
- c. An employee shall not be separated as surplus until after the possibilities for his reassignment to vacant positions commensurate with his qualifications have been carefully considered.
- d. An employee whose separation has been approved pursuant to the provisions of this regulation shall be notified of this fact in writing by the Director of Personnel at least thirty (30) days prior to the effective date of termination. This notice shall specify the effective date of separation and shall state that the employee may appeal to the Chief, KUBARK within ten calendar days from the date of receipt of the notice by him. Such appeal must be in writing and must state the specific reasons upon which it is based.

4. PROCEDURES

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- a. Upon the determination by the Chief, KUBARK that a surplus exists in a given category, the head of the Career Service* concerned shall initiate the development of a relative retention list by existent Career Service Boards or Panels or by Boards which he may establish specifically for this purpose.
- b. The Board or Panel will consider the factors stated in paragraph 3b above in developing the initial relative retention list. If the category includes nineteen or less individuals, it will assign each individual in the category to a specific ranking going from highest to lowest. However, if the category includes twenty or more individuals, the Board or Panel may employ the following procedure: assign each individual in the category to one of ten ranking sections, the first section to contain the names of those individuals ranked highest then downward to the last section which shall contain the names of those individuals ranked lowest, the sections being as nearly equal in size as possible; beginning with the lowest section, sufficient sections to include at least twice the number of individuals to be separated but not less than ten will be consolidated into one group and each individual in this group will be assigned a specific ranking going from highest to lowest.
- c. The relative retention list thus established shall be forwarded by the Board or Panel to the head of the Career Service concerned who shall review it and make and record therewith such changes as he may deem warranted. He shall then forward the list to the Director of Personnel.
- d. The Director of Personnel shall convene a Review Committee composed of three senior officials selected from a panel appointed by the Chief, KUBARK. The Committee shall review the relative retention standing of the individuals on the list, taking into consideration the factors set forth in paragraph 3b above. Changes recommended by the Review Committee shall be recorded and the relative retention list shall then be returned to the Director of Personnel.
- e. The Director of Personnel shall next forward the relative retention list to the Deputy Director concerned who shall review the list and make and record such changes as he deems necessary. Counting the required number upward from and including the individual lowest on the list, the Deputy Director shall designate the names of those individuals he recommends for separation.
- f. The Director of Personnel shall review each relative retention list, taking particular note of any changes which have been recorded. He shall determine that the procedures required herein have been complied with and that the surplus individuals have been properly identified. He shall assure that those individuals so identified who may be retained by reassignment to vacant positions elsewhere in the Organization are so reassigned. He shall then recommend the separation of those remaining individuals identified as surplus.
- g. The Chief, KUBARK shall review each such recommendation and shall in his discretion determine that the termination of the employment of the individual is necessary or advisable in the interests of our country.
- h. Following such determination, the effective date of separation shall be established by the Director of Personnel in consultation with the head of the Career Service concerned. The effective date shall not be less than thirty nor ordinarily more than ninety calendar days following notice to the employee.

* When personnel not assigned to a Career Service are tentatively identified as members of a surplus category, the Operating Official concerned shall have the responsibilities of the head of the Career Service as prescribed in this regulation.

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